

Exhibit D to Ferber Declaration
Part 1

ORIGINAL

1

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF NEW YORK

3 -----X
ANTONNE M. JONES :

4 Plaintiff, :

5 v. :

07 CIV.3648 (HB) (KNF)

6 ROC-A-FELLA FILMS, :
7 INC., LIONS GATE :
8 FILMS, INC., DAMON :
DASH and SHAWN :
CARTER :

9 Defendants. :
-----X

10
11 Philadelphia, Pennsylvania

12 Tuesday, March 11, 2008

13
14 Oral deposition of ERNEST "TRON" ANDERSON,
15 taken pursuant to notice, was held at the law
16 offices of BALLARD, SPAHR, ANDREWS & INGERSOLL,
17 LLP, 1735 Market Street, 42nd Floor, Philadelphia,
18 Pennsylvania, commencing at 10:15 a.m., on the
19 above date, before Beth Strauss, a Federally
20 Approved Registered Reporter and Notary Public
21 in the Commonwealth of Pennsylvania.

22
23 ELLEN GRAUER COURT REPORTING CO. LLC
24 126 East 56th Street, Fifth Floor
New York, New York 10022
212-750-6434
25 REF: 86955

1 ANDERSON

2 Q. Did you live in pretty much
3 the same neighborhood in Philadelphia
4 from the time of your birth until 1993?

5 A. No.

6 Q. What neighborhoods did you
7 live in?

8 A. South Philadelphia until I
9 was about 21, and then I moved up to the
10 West Oak Lane area, and then I moved to
11 California and then back to west
12 Philadelphia and then to West Oak Lane,
13 and that's where I was up until 2007.

14 Q. Where did you live in west
15 Philadelphia?

16 A. I don't remember the exact
17 address. It was like 67th and Malvern,
18 up that way.

19 Q. Where did you live in south
20 Philadelphia?

21 A. 2522 Ellsworth Street and
22 766 Harshaw.

23 Q. And where have you lived in
24 West Oak Lane?

25 A. On Woolston and 77th Avenue.

1 ANDERSON

2 based on incidental material in the
3 public domain of which owner will advise
4 purchaser?"

5 A. Right.

6 Q. "That neither the property
7 nor any element thereof or the exercise
8 by purchaser of the rights herein
9 granted, will violate or infringe upon
10 the trademark, trade name, copyright," et
11 cetera, "or any right of any person."

12 Do you see that?

13 A. Yes.

14 Q. That was accurate I take it?

15 A. Yes.

16 Q. Okay. So, looking at
17 Exhibit 4, which was the treatment for
18 Junior Black Mob, can you describe
19 briefly the subject matter of this
20 treatment?

21 A. Yeah. It's about a urban
22 organization that was based out of
23 Philly, started in Philadelphia, it's
24 like a organized gang.

25 They did a number of

1 ANDERSON

2 murders, extortion, drug dealing. That
3 was pretty much the basis.

4 Q. This was an actual gang?

5 A. Yes.

6 Q. And was the gang known as
7 the Junior Black Mob?

8 A. They called it a bunch of
9 different names.

10 Q. What were some of the names
11 you called them by?

12 A. Junior Black Mob, Junior
13 Black Mafia, JBM. That was pretty much
14 it.

15 Q. You had read about this
16 criminal organization?

17 A. No.

18 Q. Had you seen any news
19 reports about this criminal organization?

20 A. Yes.

21 Q. Had you talked to people
22 about this criminal organization?

23 A. Yes.

24 Q. Did you know anybody who had
25 been involved with it?

1 ANDERSON

2 A. Yes.

3 Q. Were any of those people
4 depicted either by name or by pseudonym
5 in your treatment or screenplay?

6 A. Yes.

7 Q. Which characters were?

8 A. Baby Boy, AJ, D-nise, Boss.

9 Q. And you think there were
10 others, but you don't recall right now?

11 A. Yes.

12 Q. Okay. Now, were these four
13 characters that you just mentioned, Baby
14 Boy, AJ, D-nise and Boss, were they
15 premised -- the people on whom they were
16 premised, did you use the actual names or
17 did you use pseudonyms in the script?

18 A. Pseudonyms.

19 MR. WOTORSON: Objection to
20 the form.

21 MR. FERBER: What's the
22 objection?

23 MR. WOTORSON: It's just
24 leading. You've been leading for
25 a while, but it's an objection to

1 ANDERSON

2 form, and it's just leading.

3 BY MR. FERBER:

4 Q. On whom was the character of
5 Baby Boy based?

6 A. A guy who used to -- he was
7 more so a runner in the organization. He
8 would, you know, pick up drugs, drop 'em
9 off and pick up money.

10 Q. Is this someone you had met
11 personally?

12 A. Yes.

13 Q. What was his actual name?

14 A. Shawn.

15 Q. Do you remember his last
16 name?

17 A. No.

18 Q. Upon whom was the character
19 of AJ based?

20 A. Aaron Jones.

21 Q. Is Aaron Jones a real
22 person?

23 A. Yes.

24 Q. Have you ever met Aaron
25 Jones?

1 ANDERSON

2 A. Yes.

3 Q. Have you spoken with him?

4 A. Yes.

5 Q. Did you ever speak with him
6 about this property, Junior Black Mob?

7 A. No.

8 Q. Did you ever work with Aaron
9 Jones?

10 A. Not directly.

11 Q. Were you ever a part of that
12 organization?

13 A. A little bit.

14 Q. In what period of time in
15 time, sir?

16 A. In the periods of '88
17 through '91.

18 MR. SERVIN: Let's go off
19 the record for a second.

20 (Whereupon, a moment was
21 taken.)

22 MR. FERBER: Just note that
23 the witness is going out to talk
24 with his lawyer.

25 BY MR. FERBER:

1 ANDERSON

2 Q. Mr. Anderson, what was the
3 nature of your involvement with the
4 organization?

5 A. Just that I knew a lot of
6 the guys in it, and -- and I sold drugs.

7 Q. Did you base any of the
8 scenes or details of your treatment or
9 screenplay on things that you had
10 personally observed or been told while
11 you were involved with that organization?

12 MR. WOTORSON: Objection to
13 form.

14 MR. FERBER: What's the
15 objection?

16 MR. WOTORSON: It's leading
17 and also contains basically two
18 questions masquerading as one.

19 MR. FERBER: Very good, I'll
20 rephrase.

21 BY MR. FERBER:

22 Q. What, if anything, in your
23 treatment of Junior Black Mob is based on
24 things that you had seen or been told
25 about the workings of that organization?

1 ANDERSON

2 A. Mainly all of it, just like
3 stories that were in the streets, some
4 events that I've had contact with, some
5 stuff was just a story that may have been
6 told that I kind of revamped, and that's
7 mainly what the treatment was.

8 Q. How much of the treatment is
9 based on things that you had seen or been
10 told?

11 A. Pretty much all of it.

12 Q. What, if anything, in the
13 screenplay which followed the treatment
14 is based on things that you have seen or
15 been told?

16 A. I'd say 80 percent of it.

17 Q. Do you recall any details in
18 particular that were based on things that
19 you had seen or been told?

20 A. In the screenplay?

21 Q. Yes.

22 A. There was an incident where
23 a guy was killed in a tavern. It was a
24 mistaken identity case. It was a pretty
25 televised, a lot of people knew about it.

1 ANDERSON

2 A. The story -- the story was
3 a Las Vegas story and I changed it to
4 Atlantic City.

5 Q. Okay.

6 A. Just for -- I knew if we
7 were going to shoot it, we weren't gonna
8 go to Vegas shoot it for budget reasons.

9 Q. Anything else?

10 A. Just a lot of the stories
11 that were in there came from just
12 personal knowledge of, you know, word of
13 mouth in the streets, street tales.

14 Q. Anything else that you
15 recall? Is that it as you sit here
16 today?

17 A. That's pretty much it.

18 Q. Upon whom was the character
19 D-nise based?

20 A. I don't know. D-nise was
21 D-nise. I don't know his real name.

22 Q. In other words, you don't
23 the person's real name, but there was a
24 person that you knew by the pseudonym
25 D-nise?

1 ANDERSON

2 A. Right.

3 Q. And you based your character
4 on that character?

5 A. Yeah.

6 Q. Is that someone you had ever
7 met?

8 A. Yes.

9 Q. And what was his role in the
10 real organization?

11 A. He was like a hit man.

12 Q. Is that similar to that
13 character's role in the screenplay?

14 A. Yeah.

15 Q. Upon whom was the character
16 Boss based?

17 A. A rival of the Junior Black
18 Mafia.

19 Q. Do you know that rival's
20 name?

21 A. Yes.

22 Q. What's his name?

23 A. Craig Haines.

24 Q. Did you ever met this
25 person?

1 ANDERSON

2 A. Yes.

3 Q. When was that?

4 A. I grew up with Craig.

5 Q. When was the last time you
6 had any contact with him?

7 A. I would say 1990.

8 Q. So you never had any contact
9 with him about Junior Black Mob or Get
10 Down or Lay Down?

11 A. You mean in the movie?

12 Q. Yes.

13 A. No.

14 Q. Okay. Mr. Anderson, when
15 did you first come up with the idea that
16 led you to write this treatment, Junior
17 Black Mob, that has been marked as
18 Exhibit 4?

19 MR. WOTORSON: Before you
20 answer that question, Ms. Court
21 Reporter, can you just re-read
22 that question for me?

23 (Whereupon, the court
24 reporter read the requested
25 portion of the record.)

1 ANDERSON

2 THE WITNESS: I would say
3 around '93, 1993.

4 BY MR. FERBER:

5 Q. Do you recall what
6 circumstances surrounded that idea
7 coming to you?

8 A. Yeah. Well, I had just went
9 out to California, and it was just after
10 getting out of being incarcerated and I
11 talked with Will Smith's manager and JL
12 about the whole Junior Black Mafia story.
13 This was around the time I think Menace
14 To Society had came out, and I wanted to
15 do a movie -- a Philly version of what
16 Menace to Society was. He kind of
17 advised against it and said it's just a
18 fad, these street dramas, and he said it
19 probably wouldn't go anywhere.

20 So that kind of deterred me
21 a little bit from writing it, and we were
22 going through that means of getting it
23 produced or whatever, but I always wanted
24 to write the story.

25 Q. So you talked to Will

1 ANDERSON

2 Smith's manager; is that to whom you were
3 referring?

4 A. Yes.

5 Q. And you said his name is JL?

6 A. James Lassiter.

7 Q. Okay. And the film that you
8 discussed with him that had given you the
9 idea was called Menace to Society?

10 A. Yeah. Well, it was a movie
11 that came out that was called Menace to
12 Society and it was about a LA drug dealer
13 that, you know, it was a young guy that
14 was coming up in I guess South Central.
15 And like I said, it sort of reminded me
16 of things that I been through, and I kind
17 of wanted to use that as the template for
18 this Junior Black Mafia since I knew a
19 lot of the guys and I just thought it
20 would be a good story to be told.

21 Q. And after that conversation
22 with JL in or about 1993, when was the
23 next time, if any, that you spoke to
24 someone about your idea for such a film?

25 A. Well, I kind of always